

# Notice of Allowability

Application No.

09/676,949

Examiner

Shefali D Patel

Applicant(s)

MURAKAMI ET AL

Art Unit

2621

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Request for Reconsideration filed on June 30, 2004.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☒ The drawings filed on 02 October 0200 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

LEO BOUDREAU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

## **ALLOWANCE**

### ***Response to Arguments***

1. Applicant's arguments, see remarks on pages 2-7, filed on June 30, 2004, with respect to claims 1-30 and 35 U.S.C. 112 first paragraph have been fully considered and are persuasive.

The rejection of claims 1-30 regarding 35 U.S.C. 112, first paragraph and 35 U.S.C. 103(a) have been withdrawn.

### ***Allowable Subject Matter***

2. Claims 1-30 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The instant invention defines a device, method, and storage medium for embedding digital watermark information in a gray-scale image or a color image as disclosed in independent claims 1, 8-9, and 24. The claimed invention distinguishes over the prior art by the manner in which the judging means for judging whether the inputted image data is gray-scale image data in which each pixel is formed of one component or color image data in which each pixel is formed of a plurality of components; converting means for converting the format of the gray-scale image data into color image data in which each pixel is formed of a plurality of components; and embedding means for embedding the digital watermark information in part of the components of the color image data obtained by said input means or said converting means. The claimed combination allows for improving a method/device for embedding digital watermark information in a gray-scale image or a color image.

Embedding digital watermark information in a gray-scale or color image is conventional. However, the prior art of record fails to teach converting means for converting the format of the

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gray-scale image data into color image data in which each pixel is formed of a plurality of components and embedding means for embedding the digital watermark information in part of the components of the color image data obtained by the input means or the converting means as disclosed in claims 1 and 8-9. The prior art of record also fails to teach a color component extracting unit that separates a part of the plurality of components from the remaining components of the color image data obtained by the input device or color converter as disclosed in claim 24. These elements in combination with all of the other elements of the claims are not taught or fairly suggested in the prior art of record. The dependent claims 2-7, 10-23, 25-30 are allowed for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

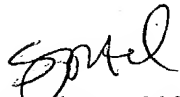
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D Patel whose telephone number is 703-306-4182. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

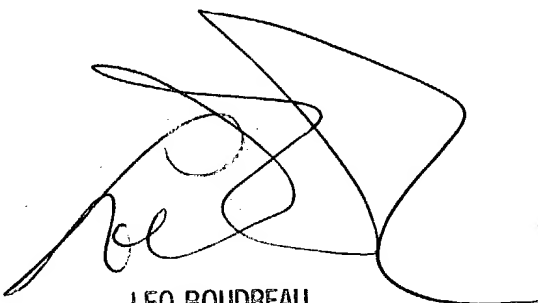
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
November 2, 2004

Shefali D Patel  
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Art Unit 2621



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